

Docket No. 242650US0CONT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Wolf-Ruediger SCHAEBITZ, et al.

SERIAL NO: 10/659,295

GAU: 1614

FILED: September 11, 2003

EXAMINER:

FOR: METHODS OF TREATING NEUROLOGICAL CONDITIONS WITH HEMATOPOIETIC GROWTH FACTORS

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Registration No. 24,618

Customer Number

22850

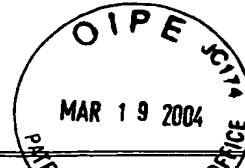
Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)

Daniel J. Pereira, Ph.D.  
Registration No. 45,518



SHEET 1 OF 4

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 242650US0CONT	SHEET 1 OF 4 SERIAL NO. 10/659,295		
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Wolf-Ruediger SCHAEBITZ, et al.					
		FILING DATE September 11, 2003		GROUP 1614			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	US 2002/0198250	12/26/02	Chajut			
	AB	5,599,690	02/04/97	Fenton, et al.			
	AC	4,810,643	03/07/89	Souza			
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES                  NO		
	AO	WO 02/22163A1	03/21/02	WIPO (English Abstract) /			
	AP	05246885	09/24/93	JAPAN (English Abstract) /			
	AQ	WO 87/01132	02/26/87	WIPO /			
	AR	WO 99/17798	04/15/99	WIPO /			
	AS	EP 1 327 449	07/16/03	EUROPE /			
	AT	JP1992000357539	09/24/91	JAPAN /			
	AU	WO 02/099081	12/12/02	WIPO /			
	AV	WO 00/44785	08/03/00	WIPO /			
<b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	AW	Tarkowski, et al, "Local and systemic GM-CSF increase in Alzheimer's disease and vascular dementia", Acta Neurol Scand, 2001;103: 166-174 /					
	AX	Tarkowski, et al., "Intrathecal release of pro- and anti-inflammatory cytokines during stroke", Clin Exp Immunol, 1997;110:492-499 /					
	AY	Tarkowski, et al., "Intrathecal Expression of Proteins Regulating Apoptosis in Acute Stroke", Apoptosis During Stroke, February 1999 /					
	AZ	Heard, et al., "Effect of prophylactic administration of recombinant human granulocyte colony-stimulating factor (filgrastim) on the frequency of nosocomial infections in patients with acute traumatic brain injury or cerebral hemorrhage", Crit Care Med, 1998, Vol. 26, No. 4, pp. 748-754 /			<input type="checkbox"/> Additional References sheet(s) attached		
Examiner				Date Considered			
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



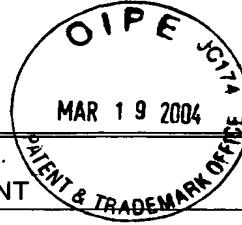
SHEET 2 OF 4

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 242650US0CONT	SHEET 2 OF 4 SERIAL NO. 10/659,295		
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Wolf-Ruediger SCHAEBITZ, et al.					
		FILING DATE September 11, 2003		GROUP 1614			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	BA						
	BB						
	BC						
	BD						
	BE						
	BF						
	BG						
	BH						
	BI						
	BJ						
	BK						
	BL						
	BM						
	BN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
					YES	NO	
	BO	WO 99/61445	12/02/99	WIPO			
	BP	WO 99/61446	12/02/99	WIPO			
	BQ	WO 00/04926	02/03/00	WIPO			
	BR	WO 00/44785	08/03/00	WIPO			
	BS	DE 100 33 219 A1	01/24/02	GERMANY w/English Translation			
	BT	EP 0 327 545 B2	09/23/87	EUROPE			
	BU						
	BV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	BW	Patterson, "The emerging neurotrophic cytokine family: first CDF/LIF, CNTF and IL-6; next ONC, MGF, GCSF?", Current Biology, Ltd. Vol. 2, No. 1, (1992)					
	BX	Konishi, et al., "Trophic effect of erythropoietin and other hematopoietic factors on central cholinergic neurons in vitro and in vivo", Brain Research, 609, (1993), pp. 29-35.					
	BY	Zavala, et al., "G-CSF Therapy of Ongoing Experimental Allergic Encephalomyelitis Via Chemokine- and Cytokine-Based Immune Deviation", Article by the American Association of Immunologists" (2002), pp. 2011-2019					
	BZ	Suzumura, et al., "Selective induction of interleukin-6 in mouse microglia by granulocyte-macrophage colony-stimulating factor", Brain Research, 713 (1996), pp. 192-198					
					<input type="checkbox"/> Additional References sheet(s) attached		
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



HEET 3 OF 4

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 242650US0CONT	SPECIALTY SERIAL NO. 10/659,295		
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Wolf-Ruediger SCHAEBITZ, et al.					
		FILING DATE September 11, 2003		GROUP 1614			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	CA						
	CB						
	CC						
	CD						
	CE						
	CF						
	CG						
	CH						
	CI						
	CJ						
	CK						
	CL						
	CM						
	CN						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
					YES	NO	
	CO						
	CP						
	CQ						
	CR						
	CS						
	CT						
	CU						
	CV						
<b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	CW	Lee, et al., "GM-CSF Promotes Proliferation of Human Fetal and Adult Microglia in Primary Cultures", GLIA 12:309-318 (1994)					
	CX	Guillemin, et al., "Granulocyte Macrophage Colony Stimulating Factor Stimulates In Vitro Proliferation of Astrocytes Derived From Simian Mature Brains", GLIA, 16:71-80 (1996)					
	CY	Dame, et al., "The Distribution of Granulocyte-Macrophage Colony-Stimulating Factor and its Receptor in the Developing Human Fetus", Pediatric Research, Vol. 46, No. 4, (1999), pp. 358-366					
	CZ	Dame, et al., "The effect of interleukin-1 $\beta$ (IL-1 $\beta$ ) and tumor necrosis factor- $\alpha$ (TNF- $\alpha$ ) on granulocyte macrophage-colony stimulating factor (GM-CSF) production by neuronal precursor cells", Eur. Cytokine Netw, Vol. 13, No. 1, March 2002, pp. 128-33					
Examiner				Date Considered			
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



MAR 19 2004

SHEET 4 OF 4

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 242650US0CONT	SERIAL NO. 10/659,295		
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Wolf-Ruediger SCHAEBITZ, et al.					
		FILING DATE September 11, 2003		GROUP 1614			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	DA						
	DB						
	DC						
	DD						
	DE						
	DF						
	DG						
	DH						
	DI						
	DJ						
	DK						
	DL						
	DM						
	DN						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES	NO	
	DO						
	DP						
	DQ						
	DR						
	DS						
	DT						
	DU						
	DV						
<b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	DW	Baldwin, et al., "Identification and Characterization of a High-Affinity Granulocyte-Macrophage Colony-Stimulating Factor Receptor on Primary Rat Oligodendrocytes", Blood, Vol. 82, No. 11, December 1, 1993, pp. 3279-3282					
	DX	Konishi, et al., "Trophic effect of erythropoietin and other hematopoietic factors on central cholinergic neurons in vitro and in vivo", Brain Research, 609 (1993) 29-35					
	DY						
	DZ					<input type="checkbox"/> Additional References sheet(s) attached	
Examiner				Date Considered			
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							